

Julie E. Schwartz, Bar No. 260624  
JSchwartz@perkinscoie.com  
PERKINS COIE LLP  
3150 Porter Drive  
Palo Alto, CA 94304-1212  
Telephone: (650) 838-4300  
Facsimile: (650) 838-4350

*Attorney for Movant Non-party*  
TWITTER, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

*In the Matter of a Subpoena to Non-party*  
*Twitter, Inc.*

AARON RICH

Plaintiff,

v.

EDWARD BUTOWSKY, MATTHEW  
COUCH, AMERICA FIRST MEDIA,  
and THE WASHINGTON TIMES,

Defendants.

Case No. 4:20-mc-80081-DMR

(D.C. Case No. 1:18-cv-00681-RJL)

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING TIME REGARDING  
MOTION TO QUASH OR MODIFY  
SUBPOENA**

Judge: Magistrate Judge Donna M. Ryu  
Courtroom 4, 3rd Floor

Pursuant to Local Rules 6-1, 6-2, and 7-12, Movant Non-Party Twitter, Inc. (“Twitter”) and Plaintiff Aaron Rich (“Plaintiff”) by and through the undersigned counsel, hereby stipulate to extend Twitter’s deadline to file its Reply in Support of Its Motion to Quash or Modify Subpoena (“Reply”), and any hearing date to be set by the Court as follows:

1. WHEREAS, Twitter filed its Motion to Quash, initiating this action on April 30, 2020. Dkt. No. 1;

2. WHEREAS, Plaintiff filed his Opposition on May 14, 2020. Dkt. No. 9;

3. WHEREAS, Twitter’s reply is currently due on Thursday, May 21, 2020. Dkt. No. 1;

4. WHEREAS, Twitter originally requested a hearing date of June 4, 2020, at 9:00 am, when it filed its Motion to Quash, but the Court has not set a hearing date. *Id.*;

5. WHEREAS, to attempt to resolve issues regarding Twitter’s ability to receive unredacted copies of Plaintiff’s Opposition and exhibits, which contain information designated “Highly Confidential - Attorneys’ Eyes Only” by Defendant Edward Butowsky in the underlying litigation in the District Court for the District of Columbia, the parties have agreed to a short extension of time for Twitter to file its Reply. *See* Dkt. Nos. 9-2 and 9-3;

6. WHEREAS, to allow the Court sufficient time to review the pleadings, the parties further agreed to reschedule the requested hearing date to no earlier than June 11, 2020 at 9:00 a.m.;

7. WHEREAS, the parties state that there have been no previous time modifications in this case, and the requested continuance will not impact the schedule of the case, as no other deadlines have been set;

8. NOW, THEREFORE, the parties stipulate as follows:

Twitter shall file its Reply on or before May 28, 2020. Any hearing in this matter shall be held on June 11, 2020 at 9:00 a.m. or on a future date convenient for the Court.

**IT IS SO STIPULATED.**

1 DATED: May 20, 2020

**PERKINS COIE LLP**

2  
3 By: /s/ Julie E. Schwartz  
PERKINS COIE LLP  
4 Julie E. Schwartz, Bar No. 260624  
JSchwartz@perkinscoie.com  
5 3150 Porter Drive  
Palo Alto, CA 94304-1212  
6 Telephone: (650) 838-4300  
Facsimile: (650) 838-4350

7 *Attorney for Non-party*  
8 Twitter, Inc.

9 DATED: May 20, 2020

10 By: /s/ Benedict Hur  
WILLKIE FARR & GALLAGHER LLP  
11 Benedict Y. Hur - #224018  
bhur@willkie.com  
12 One Front Street, 34<sup>th</sup> Floor  
San Francisco, CA 94111  
13 Telephone: 415 858 7400  
Facsimile: 415 858 7599

14 Samuel Hall (appearing *pro hac vice*)  
15 shall@willkie.com  
16 1875 K Street, NW  
Washington, DC 20006  
17 Telephone: 202 303 1443  
Facsimile: 202 303 2442

18 *Attorneys for Plaintiff*  
19 Aaron Rich

**ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that all signatories to this document concur in its filing.

Dated: May 20, 2020

/s/ Julie E. Schwartz  
Julie E. Schwartz

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**[PROPOSED] ORDER**  
**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: \_\_\_\_\_

\_\_\_\_\_  
Magistrate Judge Donna M. Ryu